

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NEC Chartley Drive and Piper
Road
101 Chartley Drive
4th Election District
3rd Councilmanic District
Irvin R. Zeigenfuse, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-56-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for an open projection (deck), as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of Sept. 1992 that the Petition for a Zoning Variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 10 ft., in lieu of the required 22.5 ft., for an open projection (deck), in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 23, 1992

Mr. and Mrs. Irvin R. Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136

RE: Petition for Residential Zoning Variance
Case No. 93-34-A
101 Chartley Drive

Dear Mr. and Mrs. Zeigenfuse:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 101 CHARTLEY DRIVE
which is presently zoned DR-3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and as is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.B (2006.4 and 101.1 (4.5) TO ALLOW AN OPEN PROJECTION A REAR YARD SETBACK OF 10' IN LIEU OF THE REQUIRED 22.5'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) MY HOUSE SETS AT AN ANGLE ON MY CORNER. THIS FRAGMENT WOULD CAUSE ANY DECK OF ANY APPRECIABLE SIZE ON THE REAR OF MY HOUSE TO BE SEVERELY RESTRICTED IN SIZE. MY COMMUNITY HAS MANY DECKS AND PATIOS AND A NARROWER WOULD NOT BE DISRUPTIVE. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Signature of Petitioner: Irvin R. Zeigenfuse
Signature of Attorney: Judith B. Zeigenfuse
Address: 101 Chartley Drive, Reisterstown, MD 21136
City: Reisterstown, State: MD, Zip Code: 21136

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 23rd day of September 1992, that the subject matter of this petition be set for a public hearing, to be held on the 23rd day of September 1992, at 7:00 PM, in the Zoning Commission Room, 111 West Chesapeake Avenue, Towson, Maryland, and that the property be posted.

REVIEWED BY: [Signature]
ESTIMATED POSTING DATE: 9-6-92

ITEM #:

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 101 CHARTLEY DRIVE, REISTERSTOWN, MD 21136.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Indicate hardship or practical difficulty)

Because of the angle of which my house is situated on my corner lot, a deck of any appreciable size on the rear of my house would be severely restricted in size. My community has many decks and patios and a narrower deck would not be disruptive. I am aware of the zoning regulations and I agree to pay the expenses of the variance, including advertising and posting, upon filing of this petition.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a repaving and advertising fee and may be required to provide additional information.

Irvin R. Zeigenfuse
Judith B. Zeigenfuse
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: JUDITH

I HEREBY CERTIFY, this 24th day of September, 1992, before me as a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notary Seal.

8/20/92
My Commission Expires: 8/1/95

ZONING DESCRIPTION
101 Chartley Drive

Beginning for the same at the south side of Chartley Drive at the fillet that connects to the north side of Piper Road. Being Lot #1 in the subdivision of Chartley, as recorded in Baltimore County Plat Book 25, Folio 62, containing 9919 square feet. Also being known as 101 Chartley Drive and located in the 4th Election District.

93-56-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 9/2/92
Posted for: [Signature]
Petitioner: Irvin R. Zeigenfuse
Location of property: 101 Chartley Drive
Location of signs: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 9/11/92
Number of signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

93-56-A

Account: R-001-4150
Number:

PAID PER HAND WRITTEN RECEIPT DATED 8/21/92
8/28/92
PUBLIC HEARING FEES QTY PRICE
010 -ZONING VARIANCE (IRL) 1 X \$50.00
080 -POSTING SIGNS / ADVERTISING 1 X \$35.00
TOTAL: \$85.00
LAST NAME OF OWNER: ZEIGENFUSE

Cashier Validation

Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue
Towson, MD 21204

September 19, 1992

(410) 887-3353

Mr. & Mrs. Irvin R. Zeigenfuse
101 Chartley Drive
Reisterstown, MD 21136

RE: Item No. 74, Case No. 93-56-A
Petitioner: Irvin R. Zeigenfuse, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Zeigenfuse:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
21st day of August, 1992

Received By:
Arnold Jablon
Director

Chairman,
Zoning Plans Advisory Committee

Petitioner: Irvin R. Zeigenfuse, et ux
Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: *David B. K...* Date: 9/8/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Dr. Edward and Ann Mishner	72		8/31/92 NC
DED DEPRM RP STP TE	Cheryl Blevins	73		NC
DED DEPRM RP STP TE	Trvin R. and Judith B. Zeigenfuse	74		NC

COUNT 14
FINAL TOTALS
COUNT 15
*** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 10, 1992

FROM: Ervin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
August 31, 1992

The Office of Planning and Zoning has no comments on the following petition:
Irvin R. Zeigenfuse, Item No. Work #21 74

If there should be any further questions or if this office can provide additional
information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: _____
Division Chief: _____
EMcD/PM: rdn

Development Review Committee Response Form
Authorized signature: _____ Date: 09/08/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Donald E. and Mary Bell Grempler	69	N/C	8/31/92
DED DEPRM RP STP TE	Gordon E. Sugar	70	W/C	
DED DEPRM RP STP TE	Michael and Patricia Perholtz	71	W/C	
DED DEPRM RP STP TE	Dr. Edward and Ann Mishner	72	N/C	
DED DEPRM RP STP TE	Cheryl Blevins	73	N/C	
DED DEPRM RP STP TE	Trvin R. and Judith B. Zeigenfuse	74	N/C	

COUNT 14
FINAL TOTALS
COUNT 17
*** END OF REPORT ***

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature: *John H. Morris* Date: 9-15-92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DEPRM	Etta E. Plonden and Joan and Garland Arrington	57		8-24-92 in process
DEPRM	Colonial Village Company	19		8-3-92 in process
DEPRM	Susan J. Blum	23		in process
DEPRM	Arthur Thomas Ward, III	9		in process
DEPRM	Steven Lewis and Mary Ann Kidwell	63		8/31/92 N/C
DEPRM	ReVisions, Inc.	64		N/C
DEPRM	Michael and Patricia Perholtz	71		in process
DEPRM	Cheryl Blevins	73		7-2 prom
DEPRM	Trvin R. and Judith B. Zeigenfuse	74		N/C

COUNT 5
DED DEPRM RP STP TE

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

SEPTEMBER 1, 1992 (410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: TRVIN R. ZEIGENFUSE AND JUDITH B. ZEIGENFUSE
Location: #101 CHARTLEY DRIVE
Item No.: *WORK #21 (CAM) Zoning Agenda: AUGUST 31, 1992
Gentlemen: *(initials)*

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. Jerry Pfeiffer* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: *W.K.* Date: 9/8/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
DED DEPRM RP STP TE	Cheryl Blevins			8/31/92
DED DEPRM RP STP TE	Trvin R. and Judith B. Zeigenfuse			

COUNT 14
FINAL TOTALS
COUNT 14
*** END OF REPORT ***

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

93-56-A
DATE: 11 Aug 92

Provisional Approval
Permit No: 8140057
LOCATION: 101 Chartley

The issuance of this permit in no way grants or implies approval of
any matter relating to this property which is in conflict with the
Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:
(Please check appropriate box(es))

☐ Owner has filed for a public hearing, Item # _____
☒ Owner must file for a public hearing within 30 days
before the Zoning Commissioner requesting relief from all
conflicts with the Baltimore County Zoning Regulations.
☐ Owner/contract purchaser must submit a complete revised site
development plan and requested accompanying information
within _____ days resolving all possible conflicts with the
Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the
construction indicated in the above-referenced permit.

However, in the event that any or all of the above conditions are not
completed as stipulated, and/or the petition for relief has been
denied, dismissed or withdrawn, this provisional approval is rescinded
forthwith.

Immediately thereafter the owner/contract purchaser must return the
property to the condition it was in prior to the beginning of said
construction and accepts full financial liability in the matter.

I have read the above statement and I agree to abide by the decision of
the Zoning Commissioner if applicable in this matter. I also hereby
certify that I the undersigned am in fact the owner and if applicable
the contract purchaser and not just an agent for same.

Signed: *Judith B. Zeigenfuse* Signed: _____
Owner Contract Purchaser
(Please print clearly) (Please print clearly)
Name: *Judith B. Zeigenfuse* Name: _____
Address: *101 Chartley Dr* Address: _____
Work Phone: *833-2446* Work Phone: _____
Home Phone: *833-0920* Home Phone: _____

93-56-A

PIPER ROAD

CHARTLEY DRIVE

ANTINOZZI
602

COOK
600

HERRMAN
605

HORNICK
603

REIGAN
101
DECK

GARDNER
103

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353

Travis R. and Judith B. Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136
Re: CASE NUMBER: 93-56-A
LOCATION: SEC Chartley Drive and Piper Road
101 Chartley Drive
4th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 6, 1992. The closing date is September 21, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

Printed on Recycled Paper

To: Baltimore County Zoning Board August 10, 1992

Dear Zoning Representative,

I have reviewed with Mr. Zeigenfuse the plans for a deck to be built on the property of:

Irvin and Judith Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136
Phone: (410) 833-5430

I have no objections or reservations whatsoever for any deck adjoining the rear and side of their home.

NAME: JAMES E. GARDNER (Please print)
ADDRESS: 103 CHARTLEY DR (Please print)
CITY, STATE, ZIP: Reisterstown, Maryland 21136
PHONE: 473-0985

SIGNED: *James E. Gardner*

93-56-A

To: Baltimore County Zoning Board August 10, 1992

Dear Zoning Representative,

I have reviewed with Mr. Zeigenfuse the plans for a deck to be built on the property of:

Irvin and Judith Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136
Phone: (410) 833-5430

I have no objections or reservations whatsoever for any deck adjoining the rear and side of their home.

NAME: John C. Hornick Jr (Please print)
ADDRESS: 603 PIPER RD (Please print)
CITY, STATE, ZIP: Reisterstown, Maryland 21136
PHONE: 833-4720

SIGNED: *John C. Hornick Jr*

93-56-A

To: Baltimore County Zoning Board August 10, 1992

Dear Zoning Representative,

I have reviewed with Mr. Zeigenfuse the plans for a deck to be built on the property of:

Irvin and Judith Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136
Phone: (410) 833-5430

I have no objections or reservations whatsoever for any deck adjoining the rear and side of their home.

NAME: Peggy B. Merryman (Please print)
ADDRESS: 605 PIPER ROAD (Please print)
CITY, STATE, ZIP: Reisterstown, Maryland 21136
PHONE: (410) 596-0080

SIGNED: *Peggy B. Merryman*

93-56-A

To: Baltimore County Zoning Board August 10, 1992

Dear Zoning Representative,

I have reviewed with Mr. Zeigenfuse the plans for a deck to be built on the property of:

Irvin and Judith Zeigenfuse
101 Chartley Drive
Reisterstown, Maryland 21136
Phone: (410) 833-5430

I have no objections or reservations whatsoever for any deck adjoining the rear and side of their home.

NAME: SAVET ANTINOZZI (Please print)
ADDRESS: 602 PIPER RD (Please print)
CITY, STATE, ZIP: Reisterstown, Maryland 21136
PHONE:

SIGNED: *Savet Antinozzi*

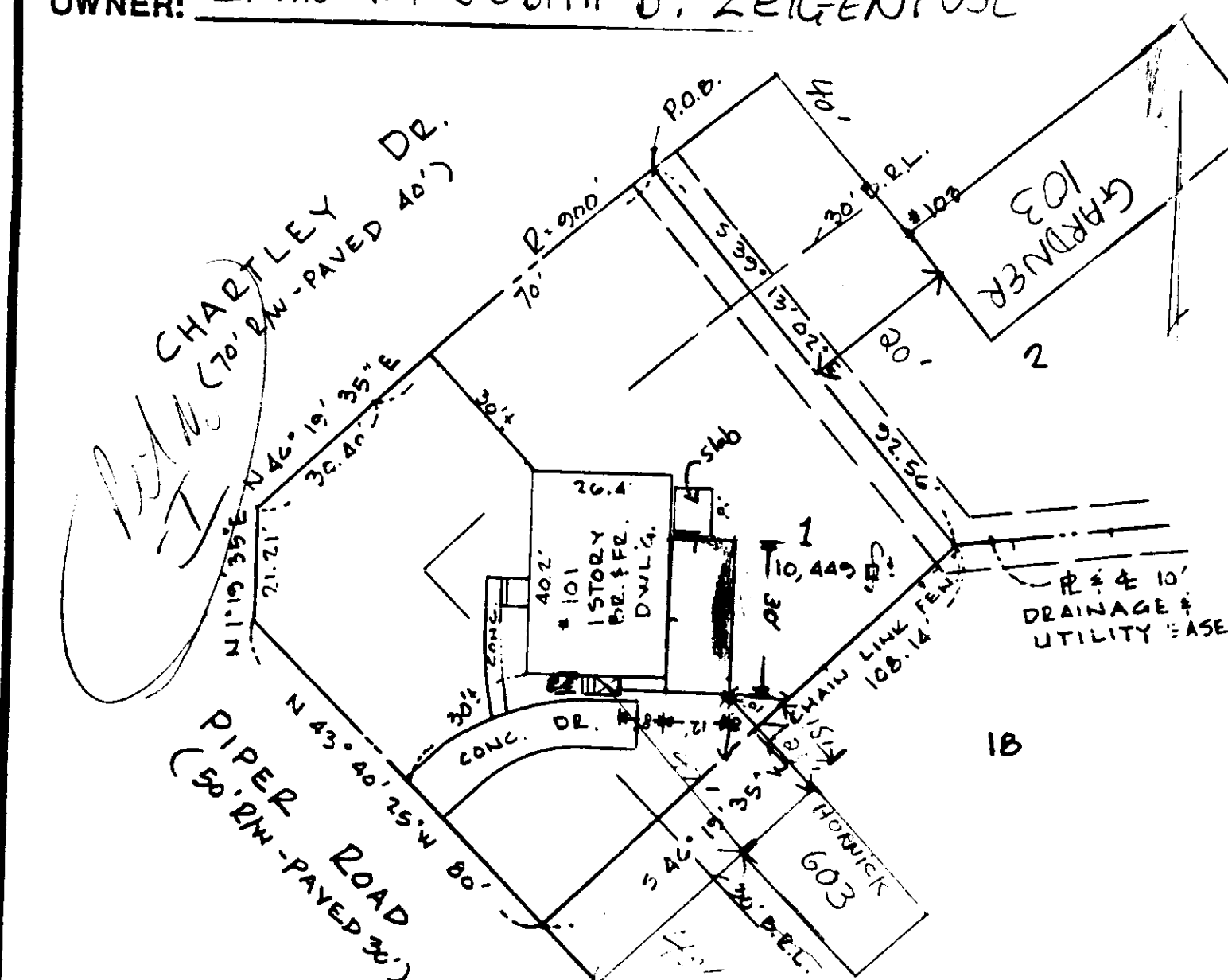
93-56-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

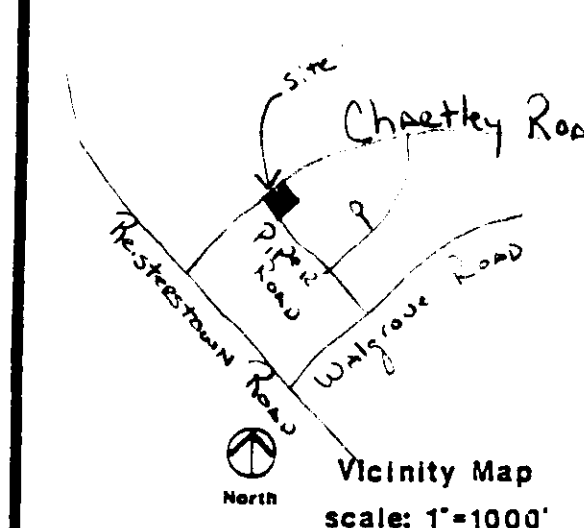
PROPERTY ADDRESS: 101 CHARTLEY DRIVE

Subdivision name: CHARTLEY
plat book # 25, folio # 62, lot # 1, section # 0

OWNER: IRVIN R. & JUDITH B. ZEIGENFUSE



North
date: 8-31-92
prepared by: I.R. ZEIGENFUSE Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Councilmanic District: 3
Election District: 4
1"=200' scale map#: NW 15 J
Zoning: 3.5
Lot size: 1/4 acreage 9,917 square feet

SEWER: ☒ PRIVATE
WATER: ☒ PRIVATE

Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	REISTERSTOWN	NW
DATE OF PHOTOGRAPHY JANUARY 1986	AREA DELIGHT	15-J

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401